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Report of the Special Rapporteur trafficking in persons, especially women and children, on her mission to Jordan*

Note by the Secretariat

The Special Rapporteur on trafficking in persons, especially women and children, visited Jordan 28 January to 4 February 2016, at the invitation of the Government. In the present report, the Special Rapporteur highlights the country's commitment to combating trafficking in persons, as evidenced by its legislative and policy framework that protects migrant workers, its multidisciplinary approach in taking anti-trafficking measures and the establishment of a shelter for trafficked persons. Various initiatives further improve implementation of labour standards while promoting competitiveness.

She nonetheless expresses concern about, inter alia, the perception that human trafficking in Jordan mainly involves labour exploitation of non-Jordanians, to the neglect of other forms of trafficking including trafficking for sexual exploitation, begging and organ transplant, which involve Jordanians, migrants and the refugee and asylum-seeking population. Moreover, given the influx of migrant workers, refugees and asylum seekers, immigration practices do not provide opportunity for accurate identification and protection of trafficked persons. Other concerns include the absence of an updated national strategy to combat trafficking and standard operating procedures, the placement of victims in shelters without freedom of movement and the low prosecution rates for trafficking cases.

On that basis, the Special Rapporteur makes a number of recommendations to the Government, including with regard to ratification of key international legal instruments, strengthening of national legislation and policies to combat trafficking, and increasing capacity-building activities for government officials. The Special Rapporteur also encourages the Government to address gaps in the assistance provided to victims of trafficking, especially in terms of providing them with effective remedies, and increasing

* The present report was submitted after the deadline in order to reflect the most recent developments.

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the involvement of civil society organizations in the provision of assistance to victims. She also calls on the Government to improve the justice delivery system and strengthen its cooperation with source countries to address root causes of trafficking and create more opportunities for safe migration.

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* Circulated in the language of submission and in Arabic only

I. Introduction and methodology

1. The Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro, visited Jordan from 28 January to 4 February 2016, at the invitation of the Government. The objectives of the visit were to examine the prevalent forms of trafficking in persons in the country and to assess the effectiveness of measures taken by the Government to combat trafficking in persons and to protect the human rights of trafficked persons.

2. During her visit, the Special Rapporteur met high-level officials from the Ministries of Justice, Social Development, Interior, Labour, and Industry and Trade, as well as the National Anti-Trafficking Committee, the National Council for Family Affairs and the Jordanian National Commission for Women.

3. Moreover, she exchanged views with members of the judiciary (from the Court of Cassation, the criminal courts, the Public Prosecutor's Office, the Civil Registration Department and the religious courts) and the Counter-Trafficking Unit within the Public Security Department. She visited the Karama (which means dignity) Shelter for Victims of Trafficking run by the Ministry of Social Development and another run by the non-governmental organization (NGO) the Jordanian Women's Union, where she was able to interact with victims of trafficking. In addition, she visited the women's section of the Juwaidah Correctional and Rehabilitation Centre and the Al-Azraq refugee camp for Syrian refugees and asylum seekers.

4. She also met with representatives of the National Centre for Human Rights and civil society organizations (CSOs). Finally, she exchanged views with representatives of the United Nations agencies and programmes in the country. The Special Rapporteur expresses her gratitude to the Government for its invitation and cooperation and to CSOs for their valuable input. She is also grateful to the victims of trafficking who shared with her their experiences in the hope of preventing future trafficking. The Special Rapporteur learned that the forms of trafficking set forth below are particularly widespread in the country.

II. Main findings

A. Forms and manifestations of trafficking in persons

5. Jordan faces challenges as a destination and, to a lesser extent, a transit country for women, girls, men and boys subjected to trafficking in persons. As a destination country, it receives trafficked persons, mainly from South Asia, South-East Asia and North Africa. Trafficked persons may also transit through Jordan on route to destinations in Europe.

6. The country's geographical location within the region, its security situation and upper-middle economy attracts migrant workers, notably from Egypt (63.5 per cent of all migrant workers), Bangladesh (13 per cent), Sri Lanka (5.3 per cent), the Philippines (4.8 per cent), India (3.1 per cent) and Pakistan (1.5 per cent),[1] who willingly embark on the journey to Jordan in search of better employment opportunities in the agriculture, construction, garment (within the Qualified Industrial Zones) and tourism and hospitality sectors and domestic work. The generous refugee policy of Jordan also contributes to a large influx of refugees and asylum seekers. At the end of 2015, there were some 635,324

[1] See Ministry of Labour, *2014 Annual Report*.

registered Syrian refugees and asylum seekers, of whom 50.7 per cent were female.[2] There were also 53,334 Iraqi[3] and more than 2 million Palestinian[4] refugees and asylum seekers in the country. While not all cases of migration result in trafficking, there are cases of mixed migration that include refugees, asylum seekers and migrants, who end up being trafficked.

7. The causes of trafficking include not only conflict, poverty and a lack of economic opportunities in source countries, but also the high demand for cheap labour and sexual services in Jordan. There is also a need for domestic work for middle- to high-income households in Jordan. The sponsorship (*kafala*) system, which is not explicitly mentioned in the country's laws, although it is widely practised, contributes to trafficking by binding migrant workers to their employers through residency and work permits for legal stay in Jordan (see subsection B below).

8. Traffickers' modi operandi typically involve deceptive and fraudulent practices regarding the nature and type of the employment conducted by unscrupulous recruitment agents - in source countries and Jordan - and employers. Most commonly, victims are exploited through breaches of contracts, payment of excessive recruitment and permit fees normally borne by employers, reduction or non-payment of salary, long working hours and a lack of rest days. Many find themselves in a situation akin to debt bondage, trying to repay exorbitant debts owed to traffickers for their journey, when promises of well-paying employment turn into exploitative situations. Passport and wages retention are also common practices to limit the freedom of movement of migrants workers.

1. Trafficking for labour exploitation

9. In 2014, there were 324,410 migrant workers in Jordan.[5] While not all migrants are subject to trafficking, many cases of labour trafficking in Jordan involve mainly low- and semi-skilled migrant workers mainly working in the agricultural, construction and manufacturing sectors.

10. A recent case of alleged trafficking for labour exploitation in the textile industry in one of the Qualified Industrial Zones involved the deceitful recruitment of 40 workers from Bangladesh and consequent labour rights violations amounting to human trafficking. Upon their recruitment in Bangladesh by the supervisor of the company, the workers expected to be employed for a renowned company, only to find they had been lied to regarding the place, type and amount of work to be done in Jordan. Indebted, many kept working under exploitative working and living conditions until the temporary closure of the company for investigation, following human rights violations denounced by some workers.

11. There are also indications that Syrian refugees and asylum seekers, including women and children, who are not authorized to access the labour market in Jordan are lured to work illegally to sustain their families, which puts them at risk of trafficking. Information was shared with the Special Rapporteur on a case where an entire family, including children as young as 3 years old, was tricked into working in the agriculture sector for a low wage, which was never paid. Because of the dire financial situation of the family, they continued working in exchange for the employer providing a roof over their heads. Many Syrian children are the sole breadwinners of their families and work primarily in retail and services, while girls in particular also work in domestic service and agriculture.

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[2] See Office of the United Nations High Commissioner for Refugees, "Syria Regional Refugee Response", http://data.unhcr.org/syrianrefugees/country.php?id=107.

[3] Ibid.

[4] See United Nations Relief and Works Agency for Palestinian Refugees in the Near East, "Where we work", www.unrwa.org/where-we-work/jordan.

[5] Ministry of Labour, *2014 Annual Report*.

There is growing concern that these children may be subject to the worst forms of child labour, including through trafficking by those who prey on their need for financial security.

2. Trafficking for domestic servitude

12. Jordan hosts some 70,000 migrant domestic workers - with an estimated twice that number employed unofficially -[6] mostly from Bangladesh, Ethiopia, Indonesia, Kenya, the Philippines and Sri Lanka. A large number faces systematic abuse, in some cases amounting to trafficking for domestic servitude, by employment agencies based in their home country or Jordan, as well as their Jordanian employers.

13. The Special Rapporteur heard first-hand about the abuses and exploitation that further contribute to the trafficking situation, including breaches of contract, non-payment of salary, deductions of recruitment and permit fees from low wages and work in different households of members of the employers' family, including in their businesses, for one salary, if any. Moreover, migrant domestic workers work excessive hours with no rest days. At the hand of their employers and their families, many domestic workers experience physical and mental abuse ranging from being deprived of food to beatings, sleeping on kitchen floors or balconies, being pushed off of apartment balconies, being confined in houses, being prohibited from accessing health care and outside communications, harassment, sexual assault and psychological abuse, including racism and xenophobic statements. Employers, who have incurred costs to sponsor domestic workers, see such actions, especially the withholding of passports, as "guarantees" for getting their money's worth of work and preventing escapes.

14. Often employment agencies also play a role in the trafficking of domestic workers. This includes physical and psychological abuse of migrant domestic workers shortly after their arrival in Jordan to frighten and discourage them from leaving or complaining about their employers. It is also common for domestic workers who have left their employment or complained about exploitation to employment agencies to be forcibly returned either to their abusive employers or new employers after facing further abuse by agents. Domestic workers are also often made to illegally perform domestic work in different houses for a short period.

15. Victims who report abuse to the police are immediately detained as a result of absconding[7] or employers sometimes lodge false reports of theft as punishment. They are then either returned to their employers or imprisoned and deported rather than being offered protection and alternative employment.

3. Trafficking for sexual exploitation

16. According to the limited information available, Jordan is a destination for the trafficking of women and girls and boys into the sex industry. Factors contributing to trafficking in women and children for sexual exploitation include the demand for sexual services and the existence of a large migrant worker community.

17. Domestic workers who leave exploitative work conditions or are in search of better-paid employment become irregular migrants in Jordan and risk detention and expulsion. They are therefore particularly vulnerable to trafficking for sexual exploitation in closed houses by employment agents, boyfriends or other migrants whom they approach for help.

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[6] See Jordan, Ministry of Labour, "Statistics", http://web.dos.gov.jo/?lang=en.

[7] Domestic workers who have left an abusive employment relationship are referred by authorities and employers as "runaway" or "escaped" domestic workers, who are liable to imprisonment and deportation.

Additionally, young women are lured from their home countries with false promises of legal work in Jordan, such as domestic work, babysitting and waitressing, by agencies that take advantage of their vulnerable and disadvantaged situations. Upon arrival, victims' passports are confiscated and they are forced to provide sexual services to repay the debts incurred for their travel. If they refuse, they are beaten up and threatened that, if they leave their employers or go to the police, they risk imprisonment then deportation for immigration offences and/or soliciting prostitution.

18. Syrian refugee women and girls are also trafficked for sexual exploitation through the practice of "temporary" or child and/or forced marriages to Jordanians and older men from Gulf countries. Besides being arranged by middle men, girls are often forcibly married by their parents, who view it as a way of securing their children's protection and ensuring the family's livelihood through the bride price. Once married, trafficked wives are likely to end up in a situation of sexual and domestic exploitation. The Special Rapporteur learned of the severity of the exploitation that such type of trafficking can lead to through the case of a 17-year-old Syrian girl forcibly married to 13 different men from Jordan and Gulf countries over two years. For each "marriage", which lasted from one day to one month, the victim was forced to undergo hymen reconstruction surgery at a private clinic in Amman by her traffickers – her single mother, a family friend and a doctor.

4. Other forms of trafficking in persons

19. There are also indications that trafficking for the purpose of forced begging is taking place, involving the refugee and asylum-seeking population inside and outside camps and some Jordanians and Egyptians. Most perpetrators are allegedly family members or members of organized begging rings who force women, girls and boys to engage in illegal begging on the streets in the hope that the authorities will be lenient on them.

20. In addition, the Special Rapporteur was informed about trafficking for organ removal involving both Jordanians living in poverty and Syrian refugees and asylum seekers. Surgeries are mostly done outside the country. A case involving a Jordanian victim who agreed to sell his kidney for a larger amount than he actually received following deception by traffickers was related to the Special Rapporteur. After the surgery in Egypt, he was given less than 15 per cent of the promised sum by the traffickers, who then disappeared.

B. Criminalization of irregular migration and the impact on trafficked persons

21. The economy of Jordan relies to a large extent on the low- or semi-skilled labour of migrant workers, particularly in sectors such as construction, manufacturing, services, agriculture and domestic work.

22. Jordanian immigration policy requires prospective migrant workers to go through employment agencies for work in Jordan. All migrant workers are required to possess a work permit, which is renewed annually, and a residence permit obtained by their employers.[8] Such sponsorship system (*kafala*) gives employers excessive power and control over migrant workers, which increases their risk of being trafficked: if they report or escape their exploitative conditions, employers can simply revoke their work permit, leaving irregular migrants liable to lose their livelihood and be expelled from the country. In some

[8] Law No. 24/1973 on Residence and Foreigners' Affairs relating to residence permits for migrant workers.

cases, migrant workers' vulnerability to exploitation is heightened when employers fail to secure or renew their permits or when they are made to work in another sector to the one for which they were given a permit. This leaves the migrant workers liable to detention of up to six months, the payment of overstay fines and expulsion. Often, migrants cannot even pay the fines, as some have not been receiving salaries. So they remain in prison and are then deported. While the Ministry of Interior provides for exemption from fines in some cases, including those involving human trafficking, the Special Rapporteur was informed that the procedure for seeking exemption can sometimes take a long time.

23. In order to promote safer labour migration, the Government has promulgated commendable labour laws protecting the rights of workers, including migrant domestic workers - a first in the region. It has entered into bilateral memorandums of understanding with several countries (see subsection J below) that facilitate and provide legal avenues for migration and the recruitment of migrant workers from source countries. Furthermore, in an attempt to regularize the situation of irregular migrant workers already in the country, the Government has issued residence permits to migrant workers in irregular situations who wished to stay in the country and deported those who wished to go back to their countries without prosecution. It is noteworthy that the handling of irregular migrants by Jordan has occasionally become an issue of contention with source countries; for example, Kenya and the Philippines have in the past banned their nationals from migrating to Jordan.

24. Moreover, opportunities for safe migration for low-skilled labour, particularly for refugees and asylum seekers who seek legal employment, remain inadequate and the enforcement of existing labour laws regarding migrant workers is lax. The regulation of employment agencies that commit or are involved in human trafficking is also ineffective. Employers of domestic workers are rarely prosecuted for offences related to passport, residence, employment and criminal law.

C. Legislative, policy and institutional framework

1. Legislative framework

(a) International and regional framework

25. Jordan is party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Trafficking in Persons Protocol), and a number of international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. It has also ratified the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO).

26. Regrettably, Jordan is not party to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. Instead, it has concluded a Memorandum of Understanding with the Office of the United Nations High Commissioner for Refugees (UNHCR) that sets the parameters for cooperation on the issue of refugees and asylum seekers in 2008 and 2014. Moreover, Jordan has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or the Domestic Workers Convention, 2011 (No. 189), the Protocol of 2014 to the Forced Labour Convention, 1930, or the Private Employment Agencies Convention, 1997 (No. 181) of ILO.

(b) National framework

27. At the national level, slavery and forced labour are prohibited under Article 13 of the Constitution of Jordan. A 1929 law abolishes slavery and bans the enslavement of persons.

28. The country in its Anti-Human Trafficking Law of 2009 adopts a similar definition of human trafficking to that contained in the Trafficking in Persons Protocol (art. 3 (b)). Trafficking in persons carries a penalty of a minimum six months' imprisonment and a fine (art. 8). A heavier penalty of up to 10 years' imprisonment with labour and a fine is imposed when the following aggravating circumstances exist: the victim is a woman, a child or a person with disabilities; the crime involves sexual exploitation or organ removal; the crime causes victims to suffer a chronic or incurable disease; the crime is committed by means of the use of weapons or threats; when the perpetrator is a relative of the victim, his or her guardian, a public official or a member of an organized criminal network for human trafficking; or the crime is transnational in nature (art. 9). Provision is also made for the proceeds of trafficking to be seized (art. 14). Trafficking offences committed by legal persons entail penalties ranging from fines to suspension and closing of businesses, and possible criminal responsibility (arts. 11 and 12).

29. In addition to the 2009 Anti-Trafficking Law, other legislation may be invoked to prosecute trafficking or trafficking-related offences. Under the Penal Code, offences are punishable that may amount to trafficking and other forms of exploitation, such as: abduction, which carries a maximum sentence of 3 years' imprisonment and a fine (art. 291); assault - up to 6 months' imprisonment or a fine (art. 306); and fondling - up to 1 year's imprisonment (art. 305). Rape entails a minimum of 10 years' imprisonment with hard labour (art. 292). However, marriage is set out as a form of reparation for women survivors of rape (art. 308). Moreover, some penal provisions do not prevent trafficking or encourage victims to denounce their exploiters; in particular prostitution is criminalized (art. 304) and soliciting prostitution and living in or frequenting brothels abroad leads to 3 years' imprisonment and a fine (arts. 310-318). In article 315, the use of one's home for the purposes of prostitution and living off the proceeds of prostitution is penalized. Additionally, under article 389, beggars are punished and anyone who forces another to beg is imprisoned for between 3 and 12 months or referred to an institution for assistance.

30. Minimum labour protection standards, which are also applicable to migrant workers, are set out in Labour Law No. 8/1996 amended pursuant to temporary law No. 26/2010. Among other provisions, the recruitment of children under the age of 16 is prohibited and safeguards are provided where children over 16 years are hired. Guarantees of wage protection, working hours, paid leave and overtime pay are also provided for. Employment of migrants is permitted with the consent of the Ministry of Labour when capability is not/not easily available in the country (art. 12A). Moreover, migrant workers are allowed to join trade unions, entitled to have employment contracts in their own language and provided minimum wage and compensation in case of unfair dismissal. However, migrant workers employed in sectors open only to Jordanian nationals or working without permits are liable to deportation (art. 12). Forced labour is not defined in Jordanian laws, which renders the accurate identification and prosecution of such cases difficult for practitioners.

31. Domestic workers and other similar categories of workers are provided with specific protection under regulation No. 90/2009, which prescribes the payment of monthly wages, regulates working hours, holidays and other conditions of service (including annual and sick leave) and health care and requires that fees for residence and work permits are covered by employers. The confiscation of passports by employers is prohibited under Passport Law No. 3/2003. Nevertheless, these norms are considered insufficient to protect domestic workers from exploitation, are not heeded by employers and are not systematically enforced by authorities, in spite of the national and international norms.

32. Recruitment agencies are subject to increased regulation that emphasizes their obligations to the Government, employers and workers. Under regulation No. 89/2009, all agencies must be licensed and deposit security bonds, and the fees that can be charged for recruitment services are limited. The recruitment of underage domestic workers, exploitation, inhumane treatment or the illegal transfer of workers to other countries result in the cancellation of the agency's licences and fines. However, complaint mechanisms are unspecified and, in general terms, such regulations are considered largely ineffective.

33. Other laws are also relevant, such as Law No. 33/1977 on the sale of body parts and Juveniles Law No. 32/2014 relating to the elimination of child labour and the protection of children and young persons.

2. Policy framework

34. The National Strategy to Combat Human Trafficking (2010-2012) launched by the National Anti-Trafficking Committee has four pillars: (a) prevention, which focuses on creation of anti-trafficking policies, raising awareness and training; (b) protection, which addresses the issue of identification, protection and support to victims and potential victims; (c) prosecution, which enhances the rule of law through specialized judicial chambers and trained members of the National Anti-Trafficking Committee; and (d) partnership and cooperation at the national, regional and international levels. The Special Rapporteur is concerned that this national strategy has remained in force since its adoption in 2010 for an initial period of two years, without revision, monitoring or evaluation of its impact in the face of the constantly changing trafficking scene.

35. The National Framework to Combat Child Labour (2011-2016) tackles the issue of child labourers aged between 5 and 17, the issue of which is believed to have increased both in magnitude and complexity with the recent influx of refugees and asylum seekers from the Syrian Arab Republic. Under the Framework, child labour is to be monitored and collective action taken by the Ministries of Labour, Education and Social Development in partnership with ILO and the United Nations Children's Fund (UNICEF).

36. In addition, the country's immigration policy based on the criminalization of irregular workers, which may include victims of trafficking, has unintended impacts on the prevalence of trafficking (see subsection B above).

3. Institutional framework

37. The National Anti-Trafficking Committee was established in 2009. It is responsible, inter alia, for drawing up anti-trafficking policy and guidelines and reviewing legislation related to trafficking. It provides assistance to victims, including by facilitating their stay in shelters and arranging their repatriation. It is also engaged in awareness-raising and cooperation with national, regional and international counterparts. The Committee can form subcommittees to fulfil its responsibilities and propose recommendations. In that regard, subcommittees were formed to draft a national strategy, to establish a referral mechanism for victims and draw up a regulation on shelters, and to identify victims.

38. The Minister of Justice chairs the Committee and the Ministry of Justice acts as its Secretariat. The Committee comprises the Secretaries-General of the Ministry of Justice, the Ministry of Interior and the Ministry of Labour, the General Commissioner of the National Centre for Human Rights, representatives of the Ministry of Social Development, the Ministry of Industry and Trade and the Ministry of Health, a senior officer of the Public Security Department and the Secretary-General of the National Council for Family Affairs.

39. The Ministry of Labour also addresses trafficking for labour exploitation through the following of its bodies: the Directorate of Domestic Workers, which provides assistance to domestic workers and monitors licensed recruitment agencies; the Directorate of Labour

Affairs and Inspection, which conducts regular work place inspection; and the Child Labour Unit, which coordinates the Government's child labour programmes, organizes child labour inspections and ensures the enforcement of child labour laws.

40. In 2013, the Counter-Trafficking Unit was established within the Public Security Department of the Ministry of Interior as a result of cooperation between the Ministries of Labour and Interior. The Unit, which is staffed by trained police and labour inspection officers, coordinates and strengthens partnerships and national anti-trafficking efforts, prosecutes traffickers and protects victims.

41. Furthermore, the National Centre for Human Rights plays a role in combating trafficking in persons, as it also receives complaints of alleged human rights violations, including those relating to trafficking in persons, and monitors detention facilities. It raises awareness, issues periodic reports on human rights violations and engages at the national, regional and international levels.

42. The Special Rapporteur commends Jordan on the establishment of the National Anti-Trafficking Committee and its initiatives to combat trafficking. However, she has observed that coordination of work between government bodies remains a challenge, partly owing to their varying level of commitment to the issue of trafficking and their understanding of trafficking and its impact on/relevance to their work. Of further concern is the lack of regular meetings. The Special Rapporteur learned that only 14 meetings had been held since its establishment seven years ago, instead of the quarterly meetings envisaged in the Anti-Trafficking Law. Moreover, CSOs engaged in combating trafficking are not specifically listed in the composition of the Committee. Although, in practice, there is ad hoc interaction with such organizations, which is made possible through article 6 (b) of the Law, this is not systematically applied.

D. Identification of trafficked persons

43. Officers of the Counter-Trafficking Unit (composed of police and labour officers) and immigration officials are primarily responsible for identifying trafficked persons in collaboration with one another. Health officials can also identify cases of trafficking for the purpose of organ trafficking. The Special Rapporteur notes with concern that the identification of victims is undertaken on ad hoc basis in the absence of standard operating procedures and hopes that the National Anti-Trafficking Committee will issue such procedures so that a more effective identification and protection of victims is realized without delay.

44. Trafficking for labour exploitation constitutes the majority of cases identified. Yet, out of 705 labour-related cases dealt with by the Counter-Trafficking Unit from 2013 to 2015, only 92 were identified as relating to trafficking for labour exploitation.[9] Similarly, out of 94,000 labour inspections conducted in the country, 10 cases concerning Egyptian migrant workers in a Qualified Industrial Zone were identified as involving trafficking and referred to the National Anti-Trafficking Committee.[10] These figures suggest that cases involving the confiscation of passports, the withholding of wages or other elements that constitute labour trafficking are often misidentified as labour offences owing to the absence of clarity on what trafficking for the purposes of labour exploitation is and what constitutes other labour cases. The low recorded rate of victims trafficked for labour exploitation identified may also be partially explained by the fact that there are only 230 labour inspectors for the whole country, of whom only a few are sufficiently trained to identify

[9] Information from a meeting with representatives of the Public Security Department.

[10] Information from a meeting with representatives of the Ministry of Labour.

labour trafficking. Inspection is also concentrated in the Qualified Industrial Zones, where visits are frequent compared to other sectors, such as construction and domestic work, where inspection is conducted mainly when complaints are lodged.

45. In the past two years, 48 female victims of trafficking for sexual exploitation and 7 male victims of trafficking for the purpose of organ removal have been identified.[11] However, information on trafficking of Jordanians for sexual exploitation was not available, which indicates that trafficking in persons in Jordan is viewed primarily as a problem concerning migrants. Nor were cases identified of trafficking involving children or the refugee and asylum-seeking population, which is prone to child and/or forced marriages of girls with foreigners, resulting in exploitative situations including forced prostitution. The Special Rapporteur wishes to emphasize that the occurrence of cases of human trafficking involving Jordanians, Syrians and refugees and asylum seekers of other nationalities cannot be dismissed and those victims can only be identified if they are actively sought.

46. Since 2013, the Counter-Trafficking Unit has maintained a national helpline dedicated to trafficked victims that operates 24 hours a day, seven days a week. The hotline is available in English and Arabic, despite the fact that trafficked persons in Jordan mostly speak other languages. The Ministry of Labour's toll-free hotline receives complaints on a number of issues related to labour violations and is available in eight languages (Arabic, Bahasa Indonesia, Bengali, Chinese, English, Hindi, Tagalog and Tamil). Regrettably, the hotline is only available during working hours and is therefore likely inaccessible to many victims, who may not have access to communication during those hours. The lack of capacity of operators to accurately identify victims from among the callers and to provide information for their protection is an additional aspect that hinders identification. The Jordanian Women's Union also has a hotline to identify human rights right violations, domestic violence and trafficking.

47. Given the influx of migrant workers, refugees and asylum seekers and the Jordanian immigration policy based on repatriation of undocumented migrants, the Special Rapporteur is concerned that victims of trafficking may not identified or are misidentified as irregular migrants, resulting in their arrest, detention and deportation. Once in the Juwaidah Correctional and Rehabilitation Centre, it is not possible for potential victims to be identified and their deportation reversed. According to practitioners, there are allegations that some victims of trafficking from among the migrant population awaiting deportation have not been identified as such, in spite of cases reported by practitioners. Yet, these persons will be deported without proper assessment of whether or not their return would be safe or whether they will be at risk of re-trafficking.

E. Protection

1. Shelters

48. Protection for identified or potential victims of trafficking is provided on the basis of referral from the Counter-Trafficking Unit. Before January 2016, trafficked victims were transferred to a government-run family and reconciliation centre for victims of gender-based violence that also provides care for trafficked women. Women and girl victims of trafficking were also referred to the shelter run by the Jordanian Women's Union, which provides protection for female victims of abuse and violence, counselling and rehabilitation services.

[11] Information from a meeting with representatives of the Public Security Department.

49. The Ministry of Social Development has run the Karama Shelter for Victims of Trafficking since January 2016. The Shelter, envisaged in the Anti-Trafficking Law, provides adequate living conditions for 100 women, men and children. At the time of the Special Rapporteur's visit, all of the victims identified were female and mainly from Bangladesh (73 per cent) and Kenya (17 per cent).[12]

50. Identified or potential victims are provided with legal, medical, psychological and other support services in collaboration with government departments, NGOs and international organizations. The work of the committed and dedicated staff in the shelters is limited by an overall lack of standard operating procedures for the provision of comprehensive support, including psychological and legal support to victims of trafficking by trained staff. For instance, although trafficked victims in the shelters come from various countries and speak different languages, there are no on-site interpreters available to assist them on a daily basis. Furthermore, the relatively short length of stay in the shelter (two months with possibility of renewal) is insufficient for the rehabilitation of victims and does not allow victims to stay throughout the lengthy court procedure for cases of trafficking. This is often cited by trafficked persons and practitioners as one of the reasons for opting not to pursue or to drop judicial action.

51. What is perhaps more alarming is the limited freedom of movement of assisted victims who can leave the shelter only accompanied by police officers. The safety of trafficked persons is the main reason cited by authorities and the National Centre for Human Rights for such action. The Special Rapporteur is concerned that, in effect, such shelters are equivalent to detention centres and protection measures result in further violations of victims' human rights.

52. Some CSOs have the capacity to provide protection and assistance to victims of trafficking. For instance, their support is sought for legal and other assistance, although that is often on ad hoc basis. The Special Rapporteur hopes that the project being considered by the Ministry of Social Development to enable NGOs to manage government shelters based on international standards will be implemented, taking into consideration, inter alia, the needs of victims and the capacities and autonomy of NGOs. Additionally, CSOs are currently not able to refer trafficked persons to the government shelter as access to this shelter is only allowed through referrals from the Counter-Trafficking Unit. The Unit can, however, refer victims to NGO-run shelters. The Special Rapporteur hopes that a more effective collaboration with CSOs can be realized without delay.

53. Moreover, the employment agencies' union has an informal residence for stranded migrant workers, including potential victims of trafficking. Accounts of victims with whom the Special Rapporteur interacted systematically mentioned the deplorable conditions of the venue, which did not provide any services. The Special Rapporteur is encouraged by the intention of the Ministry of Labour to establish a new shelter for domestic workers. Similarly, some embassies, such as those of Bangladesh, the Philippines and Sri Lanka, provide temporary shelter and assistance to their exploited workers, including trafficked individuals seeking refuge after having fled abusive employers.

2. Non-criminalization of trafficked persons

54. The strong political inclination towards criminalizing and prosecuting irregular migrants may have unintended negative consequences for victims of trafficking, in spite of protection envisaged against criminalization of trafficked persons for offences committed in relation to or induced by their status as victims of trafficking (art. 12 of the Anti-Trafficking Law). The order for exemption from criminalization is initiated on a case-by-

[12] Information from a meeting with representatives of the Ministry of Social Development.

case basis by the Public Prosecutor and is subject to the approval of a standing committee consisting of the Chief of Public Prosecution as chairperson and two cassation judges nominated by the Chief Justice. There is credible information that migrant victims of trafficking who are found to have violated the Residency Law (for example, by overstaying their permit or because their work permit was not processed by the employer) do not benefit from deportation exemption.[13] In addition, the criminalization of persons engaging in sexual activities who could be forced into prostitution also deters victims of sexual trafficking from reporting to the police.

55. As a result, many irregular migrants are afraid to contact the authorities and avoid seeking legal protection and remedies, even when they are entitled to them. In fact, that approach leads to the criminalization of victims for crimes committed while being trafficked and for which they should not be held liable.[14]

F. Investigation, prosecution and punishment

56. Preliminary investigation of trafficking cases is undertaken by officers of the Counter-Trafficking Unit, in cooperation with the police unit dedicated to countering prostitution and to tourism, labour inspectors and health officials. On the basis of the outcome of the inquiry, the Public Prosecutor indicates that a person is a victim of trafficking in need of protection, refers him or her to the shelters and files the trafficking case with the court. Whereas those not found to be victims by the public prosecutors are immediately deported.

57. The Special Rapporteur acknowledges the efforts undertaken to investigate trafficking cases. Several training sessions, an exchange of experience with international counterparts and the development of a training manual on investigation of trafficking cases have been carried out in coordination with the United Nations Office on Drugs and Crime and the European Union, for a uniform approach to dealing with cases of trafficking. However, a number of factors have hampered the effective and swift investigation of trafficking cases. They include limited coordination among enforcement agencies and a lack of the necessary skills to separate cases of trafficking from labour, immigration and other crimes or violations. Lack of communication with trafficked persons owing to language barriers also affects investigation. Moreover, it has been brought to the Special Rapporteur's attention that, on several occasions, victims who wished to pursue prosecution changed their mind and were repatriated following alleged intimidation by police. She was also informed that labour trafficking cases were mostly settled through mediation, which includes repatriation, the restitution of full or partial wages and identity documents and the cancellation of overstay fines.

58. As a result, prosecution rates are low. According to the Public Prosecutor's Office, seven cases of trafficking were prosecuted in 2015: three cases involved forced labour exploitation and domestic servitude, three were for sexual exploitation and one for the purpose of organ removal.[15] However, only three convictions were secured in those cases of labour exploitation, two ended in acquittals, one case was not prosecuted out and the rest were still pending trial.[16] Instances of appeal to higher courts were even fewer. For instance,

[13] See Tamkeen Center for Legal Aid and Human Rights, *Between a Rock and a Hard Place: migrant workers' caught between employers' abuse and poor implementation of the law - the status of domestic workers and Egyptian workers in Jordan* (2012).

[14] See the Principles and Guidelines on Human Rights and Human Trafficking.

[15] Statistics provided by the National Anti-Trafficking Committee.

[16] Information from a meeting with the Public Prosecutor.

from 2012 to 2015, the courts of cassation addressed only seven cases of trafficking, three involving labour exploitation, three involving sexual exploitation and one organ removal.[17] The Special Rapporteur highlights that, given the role and involvement of employment agencies in trafficking migrant workers, especially domestic workers, action against such agencies remains limited; although she noted with appreciation that, in 2015, 24 employment agencies were closed and 14 suspended following prosecution on trafficking charges.

59. Another concern affecting the investigation and adjudication of possible trafficking cases is the lack of sufficient capacity of prosecutors and officers of the Counter-Trafficking Unit in the implementation of the Anti-Trafficking Law, in spite of training. Lack of clarity of what constitutes trafficking for forced labour also affects the investigation and adjudication of possible trafficking cases and leads to perpetrators being indicted and eventually convicted for other crimes with lesser punishments.

60. The authorities also cited the reluctance of victims to cooperate with law enforcement authorities as one of the main reasons for low prosecution rates. While noting that assistance to victims should be provided irrespective of their collaboration with authorities, the Special Rapporteur wishes to highlight that short reflection periods (two months with the possibility of extension), lengthy trials and limited legal counselling and representation, interpretation assistance and information on the case, as well as confinement in shelters, the inability of victims to work while in confinement, fear of reprisal when reporting traffickers, detention for immigration-related offences and deportation, are factors that further discourage victims of trafficking from collaborating with the enforcement authorities. The accumulation of overstay fines throughout the duration of the legal procedure is another strong disincentive that leads migrant workers to opt out of judicial proceedings.

G. Redress

61. Compensation and restitution are an integral part of effective remedies for victims of trafficking under international law and standards.[18] In Jordan, compensation for victims is not specifically addressed in the Anti-Trafficking Law.

62. Nevertheless, assuming that victims are aware of their rights and benefit from legal assistance, it is possible for them to file separate civil and criminal claims for compensation. However, information on such cases was not available. Tying restitution to the successful conviction of perpetrators in civil and criminal proceedings requires victims' cooperation in judicial processes and prevents those victims who are reluctant to file complaints against their traffickers and those whose cases are unsuccessful in court from obtaining restitution and compensation. Moreover, victims of labour trafficking who file cases against their employers risk deportation as a result of the cancellation of their work and residence permits by those employers. In the face of those obstacles, many victims opt to give up their rights to pursue such claims, even if their cases are compelling.

63. It is encouraging that the possibility of establishing a fund to provide trafficked persons with compensation is being envisaged. The fund could be financed by the seizure of assets acquired or earned by committing the trafficking crimes enumerated in the Anti-Trafficking Law (art. 14).

[17] Statistics provided by the Court of Cassation

[18] Article 6 (6) of the Trafficking in Persons Protocol and guideline 9 of the Principles and Guidelines on Human Rights and Human Trafficking.

64. A reflection and recovery period for identified or presumed victims, throughout which services are provided to them, is also another element of effective remedy. The Special Rapporteur considers that the two months during which identified victims stay in the government shelter short for recovery (although a stay can be extended in exceptional cases). Given the recent opening of the shelter, not all of the planned vocational, psychological, and social assistance was available at the time of the visit. Legal assistance is provided to victims by a small number of NGOs, mainly in Amman, which has an impact on the recovery of victims outside the capital.

65. The Special Rapporteur is of the view that a permanent or temporary residence permit and a work permit should be granted to victims as an appropriate form of remedy, at least for the duration of their period of reflection and during criminal, civil or administrative proceedings, or even longer if return is not in the best interest of the victim. This is particularly pertinent in Jordan, where most trafficked persons have migrated to the country for labour purposes and incurred substantial fees in order to sustain their families back home. In those circumstances, migrants experiencing trafficking are likely to be re-trafficked upon their return as the underlining cause of trafficking, namely poverty and a lack of opportunities, that compelled them to migrate persist.

66. Another important means of redress, specifically for victims of labour trafficking, is the recovery of unpaid wages. While not provided for under the Anti-Trafficking Law, victims of domestic servitude and exploited domestic workers particularly may nevertheless raise claims against their employers and agents with the Labour Conflict Resolution Committee for domestic workers, composed of representatives of the Ministry of Labour, the Ministry of Interior, the Borders and Residence Directorate, recruitment agencies, the embassies concerned and other bodies. The Counter-Trafficking Unit has also been assisting some victims to obtain their unpaid wages.

H. Repatriation and reintegration

67. Repatriation is the fate of all victims of trafficking, either repatriation to their country of origin or any other country of their choice that accepts them.[19] However, it is not clear what the procedures for repatriation are or what safeguards are in place to ensure victims' safety and avoid their re-victimization. The procedures in place to enable victims concerned to access refugee and asylum claims are also not clear.

68. A number of factors hamper the swift repatriation of trafficked persons identified. All trafficked persons awaiting deportation with whom the Special Rapporteur exchanged noted the lengthy time needed to process the recovery of their unpaid wages and the cancellation of accumulated overstay fees by the Ministry of Interior or the Council of Ministers (art. 34 (b) of the Residency Law). Nearly all preferred to go home without their money and look for other employment opportunities in their country or elsewhere, rather than waiting to receive the arrears of their unpaid wages. Lack of cooperation by embassies and the unavailability of funds to cover travel expenses to their homes also had an impact on their return. The Special Rapporteur recalls that repatriation of trafficked victims should be safe and, to the extent possible, voluntary.[20]

69. Information on reintegration was not available. Nevertheless, the Special Rapporteur recalls that, by virtue of their status as victims, trafficked persons are entitled to reintegration as part of their stay in the country or their safe repatriation. This reintegration assistance makes it less likely for them to be re-trafficked. Moreover, the Special

[19] Article 5 (c) of the Anti-Trafficking Law.

[20] See the Principles and Guidelines on Human Rights and Human Trafficking.

Rapporteur is alarmed that the possibility of reinsertion of trafficked persons within Jordanian society is not provided for either in law or practice.

I. Prevention

1. Public awareness

70. The Government has taken a number of measures aimed at preventing trafficking in persons, primarily in the form of awareness-raising campaigns and publications targeting migrant workers in Arabic, Bahasa Indonesia, English, Sri Lankan and Tagalog.[21] Media such as radio, television and websites were also used to raise public awareness about trafficking issues. NGOs, international organizations, the National Centre for Human Rights and some embassies also contribute to the dissemination of information. Capacity-building activities targeting law enforcement and government officials, the judiciary, migrant workers, employers, employment agencies (including those in the Qualified Industrial Zones) and refugees and asylum seekers have been held in all provinces. Yet, despite the increased attention devoted to the issue, stakeholders have expressed concern about the difficulty of ensuring that trafficked persons, those at risk of being trafficked or otherwise exploited, their employers and employment agencies are not fully aware of what human trafficking is or how to get assistance.

71. Prevention measures targeting refugees and asylum seekers include the free-of-charge registration of marriages and divorces in the camps by religious courts and civil registration authorities, as registration reduces the risk of child and/or forced marriage, servile marriages and marriages resulting in sexual exploitation. Counselling on the risks associated with return is also provided for refugees and asylum seekers electing to spontaneously return to the Syrian Arab Republic, particularly single women and unaccompanied and separated children. The Special Rapporteur commends cooperation between Jordanian authorities and UNHCR in the management of refugee camps, and encourages them to include the identification of situations or risks of trafficking in the training of personnel working in the camps. Opportunities to minimize risks and circumstances leading to exploitation and trafficking of refugees and asylum seekers, such as debt bondage, should be identified upon refugees and asylum seekers' arrival in Jordan.

72. Moreover, the Special Rapporteur is pleased to learn of the Government's intention to open up its labour market and allow refugees and asylum seekers to conduct other self-reliance activities through the Jordan Response Plan, 2016-2018,[22] which would reduce the risk of trafficking for sexual exploitation and labour exploitation, in addition to reducing social tensions and fostering social cohesion. Another pilot project planned by the Ministry of Labour and UNHCR aims to provide work opportunities for refugees and asylum seekers to work in the agricultural and garment sector in the Qualified Industrial Zones by subsidizing their work permits.

73. Addressing demand is another prevention strategy, which, in the context of Jordan, means predominantly demand for exploitative labour of migrant workers, including domestic workers.

74. On the other hand, there is a need to safeguard employers who have incurred expenses to bring in domestic workers in order to stop the practice of withholding migrants' passports. In that regard, there are encouraging discussions taking place on establishing

[21] See National Anti-Trafficking Committee, "First report on combatting human trafficking in Jordan (2009-2013)".

[22] See http://www.jrpsc.org/

insurance for employers. There is also a critical need to raise the awareness of other forms of trafficking, including internal trafficking, trafficking of children and trafficking for sexual exploitation.

2. Safe migration

75. Current immigration practices do not provide sufficient protection to the migrant labour force, which includes refugees and asylum seekers, from the risk of exploitation and trafficking.

76. In that regard, more opportunities for safe migration, i.e., legal, gainful and non-exploitative migration, are needed if Jordan is to effectively discourage demand for exploitable labour and fulfil its obligations to respect, protect and promote the labour rights of all workers, including migrants.

3. Public-private partnerships

77. Globally, the prevention of trafficking through public-private partnerships is gaining ground. Through self-regulatory mechanisms, such as corporate social responsibility, businesses have taken steps, inter alia, to try to remove from their supply chains forced labour.

78. The Special Rapporteur was pleased to learn about the Better Work Jordan programme (2008-2017) of the Ministry of Labour, in partnership with ILO and the International Finance Corporation, which aims to improve compliance of enterprises in the garment industry with labour standards and enhance working conditions while promoting competitiveness and economic performance. In that regard, she notes that the business competitiveness of the apparel sector in Jordan within the global supply chain was assessed against core international labour standards and national labour laws, particularly in relation to discrimination, forced labour, child labour, compensation, working hours and contracts. Advisory and training services on how to improve compliance by increasing workplace cooperation are also provided.[23] She encourages the use of such tools to identify and eliminate labour trafficking cases from the Jordanian textile industry, as well as other respectable national, international and multinational businesses in Jordan.

79. Moreover, human trafficking is further addressed though labour initiatives focusing on the improvement of working conditions in clothing companies, such as the practice of drawing up a "golden list" of national companies with good training and employment records and the ranking of organizations not complying with obligations under the Labour Law.

J. Cooperation and partnership

1. Cooperation with civil society

80. The contribution of and collaboration with CSOs are crucial in the fight against human trafficking. The National Strategy to Combat Human Trafficking foresees the implementation of some of the activities in cooperation with CSOs with relevant knowledge and skills. However, in practice, only a very limited number of CSOs take part in the National Anti-Trafficking Committee on an ad hoc basis and somewhat contribute to its anti-trafficking work, particularly in the provision of assistance to victims. There is a need for immediate steps to be taken to strengthen the legal framework and support, in order to enable a larger pool of potential service providers and CSOs to, among others,

[23] See http://betterwork.org/jordan/?page_id=30#sthash.WSZHUxJ0.dpuf.

provide protection and assistance to victims, including by running shelters, providing counselling to victims and providing vocational training.

2. International, regional and bilateral cooperation

81. Jordan has concluded a number of memorandums of understanding on labour migration and trafficking with countries such as Egypt, Indonesia, the Philippines and Sri Lanka and works closely with other embassies in the country. Jordan also benefits from cooperation with the United Nations and international and regional organizations in areas such as training, assistance to victims of trafficking, repatriation and awareness-raising.

82. Internationally, Jordan benefits from exchanging information and good practices in the area of trafficking with the International Criminal Police Organization (INTERPOL) and Euro-Mediterranean Partnership (EUROMED) police. The investigation and analysis capacity of the Public Security Department is in compliance with European Union and international standards (ISO 17025), following a twinning programme in 2010.[24]

83. At the regional level, Jordan is actively engaged in the drafting of the anti-trafficking convention. Jordan also played a role in the inclusion of trafficking in the Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden (the Djibouti Code of Conduct).

III. Conclusions and recommendations

A. Conclusions

84. The Special Rapporteur recognizes the efforts of Jordan to prevent and fight trafficking in persons, as reflected in the establishment of the National Anti-Trafficking Committee, the Counter-Trafficking Unit within the Public Security Department and the Karama Shelter for Victims of Trafficking. Under labour laws, migrant workers, including domestic workers, are also protected, labour inspections in businesses and households are envisaged and employment agencies regulated. However, better implementation is needed, along with regular monitoring and sanctioning. Initiatives such as the Better Work Jordan programme, the accreditation of businesses in the "golden list" and the ranking of organizations not complying with obligations under the labour law further improve the implementation of labour standards while promoting business competitiveness.

85. Human trafficking in Jordan is perceived as mainly involving labour exploitation of non-Jordanians, with little attention paid to other forms of trafficking, including trafficking for sexual exploitation, begging and organ transplant, which can involve Jordanians, migrants and the refugee and asylum-seeking population. In the absence of an updated national strategy to combat trafficking and standard operating procedures, it is difficult to address trafficking in a coordinated manner.

86. Given the influx of migrant workers, refugees and asylum seekers, the country's restrictive immigration policy focused on rapid deportation of irregular migrants does not provide the opportunity for accurate identification of and provision of assistance to victims of trafficking. The number of victims identified and assisted is

[24] See European Union, *Implementation of the European Neighbourhood Policy in 2010, Country Report: Jordan*, joint staff working paper. Available from http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52011SC0648.

still low. Similarly, the rate of prosecution of trafficking cases also remains very low due to insufficiently clear anti-trafficking laws, which perpetuates the impunity of traffickers and obstructs victims' access to justice.

87. The Special Rapporteur has serious concerns that the stay of victims of trafficking in shelters may amount to detention. In addition to infringing fundamental human rights relating to liberty of movement and protection from detention,[25] that presents a risk to their well-being. Staff in the shelters, despite being committed, require specialized training and capacity-building. While acknowledging the Government's efforts to raise awareness, the Special Rapporteur notes that prevention is still at an early stage and does not target all the population at risk, including refugees and asylum seekers outside camps, domestic workers, employers and employment agencies.

B. Recommendations

88. On the basis of the above findings, and in spirit of cooperation and dialogue, the Special Rapporteur offers the following recommendations to Jordan:

(a) Ratify without delay the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families; ILO Domestic Workers Convention, 2011 (No. 189); ILO Protocol of 2014 to the Forced Labour Convention, 1930 ,and the ILO Private Employment Agencies Convention, 1997 (No. 181); the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

(b) Establish and, where already in existence, implement bilateral and multilateral agreements for the exchange of information, mutual legal assistance and safe returns in order to jointly tackle the root causes of trafficking in persons;

(c) Work with source countries to ensure prevention and awareness-raising.

89. With regard to the national framework:

(a) Expedite the revision of the Anti-Human Trafficking Law and other relevant policies in compliance with the requirements of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Inter alia, the amendment should have a clearer separation of the means and purposes of trafficking. It should also focus on human rights approach and provide victims in shelters with freedom of movement, a regular stay and employment in Jordan while awaiting the outcome of their legal proceedings and beyond. It should further ensure non-criminalization of victims for all crimes committed in relation with their status as victims and compensation for victims, and make CSOs officially part of the National Anti-Trafficking Committee;

(b) Develop and increase options for safe migration and legal employment channels, acknowledging that the current approach to migration management, especially in relation to the impact of the sponsorship system and the recruitment of migrant labour via some unscrupulous employment agencies, may at times favour the activities of traffickers;

[25] OHCHR, Human Rights and Human Trafficking Fact Sheet No. 36, pp. 18–19, and report of the Working Group on Arbitrary Detention (A/HRC/22/44), paras. 55 and 57.

(c) **Enforce labour regulations in order to provide greater protection to migrant workers, including domestic workers, as well as refugees and asylum seekers seeking employment, in accordance with international legal standards. Ensure that frequent inspections are conducted in trafficking-prone sectors and in households;**

(d) **Revise and enforce stringent regulation of employment agencies, regularly monitor the activities of those agencies already licensed and take immediate action to revoke their licences and prosecute them where illegal activities involving trafficking in persons have been found to take place;**

(e) **Evaluate the outcomes and lessons learned of the National Strategy to Combat Human Trafficking (2010–2012); finalize and rapidly adopt, after concertation with all stakeholders, a national plan of action taking a human rights and victim-centred approach, set out clear objectives, responsibilities and indicators to measure progress, and allocate a dedicated budget for its implementation;**

(f) **Carry out a national baseline study in collaboration with independent research institutes, bilateral partners and civil society to document the scope and trends of trafficking at the national level. Ensure that the study addresses all forms of human trafficking, its causes and consequences, particularly trafficking involving refugees and asylum seekers in and outside camps, as well as internal trafficking of Jordanians;**

(g) **Establish a systematized and harmonized data collection system to include victims' countries of origin, sex, age and the nature and type of trafficking involved; the system should also include information on traffickers and data on investigations, prosecution rates and sentencing.**

90. **With regard to identification, training and capacity-building:**

(a) **Urgently establish standard operational procedures for the identification of all forms of trafficking and of referral of victims, defining red flags and indicators to look for while screening vulnerable persons, who include Jordanians, undocumented migrants, refugees and asylum seekers and stateless persons;**

(b) **Ensure that victims of trafficking can be identified, even when they are in immigration detention centres to avoid their repatriation and re-victimization;**

(c) **Establish appropriate tools and indicators to enable labour inspectors to identify victims of trafficking during labour checks, including in agriculture, the construction sector, garment industries and households, accompanied by immediate protection measures for victims of forced labour;**

(d) **Provide legal clarity on the elements of trafficking to enable the judiciary to enforce the law;**

(e) **Raise awareness of the distinction between cases of trafficking and other situations, including irregular migration, labour violations and prostitution, to facilitate accurate identification of victims by front-line officers;**

(f) **Continue providing comprehensive training programmes on trafficking in persons to enhance the knowledge and awareness of all stakeholders, including police, immigration, customs and maritime officers, labour inspectors, prosecutors, judges, lawyers, employers/businesses, employment agencies, CSOs and the media;**

(g) **Train all service providers involved in the assistance and care of victims of trafficking.**

91. With regard to the support service for victims of trafficking:

(a) Protect and assist all victims of trafficking, including victims of labour trafficking and domestic servitude, with full respect for their human rights;

(b) Make provision for unconditional and appropriate assistance, including social, psychological, medical and legal support, as well as translation assistance and interpretation services in shelters, in accordance with article 6 (6) of the Trafficking in Persons Protocol. Such assistance must be provided to all victims whether referred to services by the police or by NGOs. Ensure victims inside shelters have freedom of movement, access to employment and residence in the country;

(c) Enable adequately funded service providers and CSOs working on trafficking in persons as preferred option to manage shelters and to provide comprehensive assistance, such as social, psychological, medical and legal support, as well as translation and interpretation services, for victims of trafficking;

(d) Provide victims of trafficking who do not wish to return to their countries owing to fear of retribution, hardship or re-trafficking viable alternatives to remain and work legally in Jordan, including through granting special residence and work permits;

(e) Establish tools with clear procedures and safeguards to avoid re-victimizations during the repatriation, reintegration and reinsertion of trafficked persons in Jordan, the source country or a third country.

(f) Ensure that the free 24-hour trafficking hotlines are accessible in the languages that may be the only ones that potential victims speak and are serviced by multilingual staff who have received specialized training on trafficking in persons;

(g) Maintain close cooperation with international and regional organizations, particularly the International Organization for Migration and UNHCR, as well as diplomatic missions, for the safe return of trafficked victims to their country of origin, having due regard to the need, if any, for international protection of the victims and the application of the principle of non-refoulement;

(h) Establish a national fund that will provide for a comprehensive compensation scheme for victims of trafficking;

(i) Ensure that appropriate procedures are in place to evaluate the best interests of the child during the stage of identification, protection and assistance and before making any decision on the eventual repatriation of the child.

92. With regard to prosecution:

(a) Improve the justice delivery system to ensure speedy investigation and adjudication of cases of trafficking while guaranteeing fair-trial rights consistent with a human rights-based approach to criminal justice responses;

(b) Ensure due implementation of victim and witness protection, in the prosecution of cases of trafficking, before, during and after the trial to avoid reprisal;

(c) Ensure that the best interests of the child is at the heart of the criminal justice response in case involving children;

(d) Strengthen the capacity of judicial officials to prosecute trafficking cases;

(e) Consider establishing specialized sections in criminal courts and/or prosecutor's offices in order to achieve better results in the repression of trafficking by trained judicial officials.

93. **With regard to the prevention:**

(a) **Step up efforts to raise awareness about all forms of trafficking in persons, including for domestic servitude, forced labour and sexual exploitation, in order to promote understanding of what constitutes trafficking among the general population, the migrant community, refugees and asylum seekers, employers and employment agencies;**

(b) **Conduct surveys to assess the impact of the awareness-raising campaigns, which should be extended to the whole country and especially to areas where there is a high concentration of persons in vulnerable situations. Moreover, awareness-raising material should be made available in multiple languages;**

(c) **Empower non-governmental organizations, including through increased interaction and the provision of funds, to conduct sensitization on trafficking and to handle complaints related to trafficking;**

(d) **Fast-track the establishment of appropriate insurance for employers to prevent labour practices amounting to trafficking in persons;**

(e) **Mainstream anti-trafficking prevention measures in all information, counselling and awareness-raising activities addressed the refugee and asylum-seeking population in and outside camps;**

(f) **Integrate identification tools on trafficking within screening, registration and assistance process of Syrian refugees and asylum seekers arriving in Jordan, especially those living in camps;**

(g) **Continue to cooperate with UNHCR, the Civil Registration Department and religious courts in order to prevent child and/or forced marriages that could result in sexual slavery and forced prostitution through free-of-charge registrations;**

(h) **Pursue the intention to open up the labour market to refugees and asylum seekers to prevent labour and sexual exploitation of this vulnerable population.**

94. **With regard to the engagement with businesses:**

(a) **Sensitize businesses about human trafficking and encourage them to make and maintain a supply chain free from trafficking, including through the establishment of self-regulatory mechanisms and tools;**

(b) **Develop and enforce stringent regulations regarding employment agencies, regularly check the activities of those already licensed, revoke their licences and prosecute them in cases of illegal action involving trafficking in persons;**

(c) **Use existing initiatives such as the ILO Decent Work Programme to address human trafficking for the purpose of labour exploitation and include identification of trafficking as one of the indicators used to measure the accreditation of businesses in the "golden list" and the ranking of organizations not complying with obligations under the Labour Law**